

Stark, David

From: TURNER, PATRICK W (Legal) <pt1285@att.com>
Sent: Tuesday, August 14, 2018 4:45 PM
To: John Hoefer; Stark, David
Cc: Nelson, Jeff; Pittman, Jenny; K. Chad Burgess; Matthew Gissendanner; jjeffries@mcquirewoods.com; Bruce.Barkley@piedmontng.com; jseay@lockhartpower.com; Rebecca.Dulin@duke-energy.com; fellerbe@robinsongray.com; rebecca.dulin@duke-energy.com; fellerbe@robinsongray.com; Heather Smith; Heather Smith; srogers@nexsenpruet.com; David Black; bettye.j.willis@windstream.com; jayne.t.eve@windstream.com; trey.judy@htc.hargray.com; kim.shepherd@skyline.org; susan.miller@ftr.com; bsingleton@truvista.biz; lawrimoj@ftc.org; greg.lunsford@comporium.com; rjl@hargray.com; will.helmly@hometelco.com; curley.huggins@htc.nc.net; tom.dabney@comporium.com; bsingleton@truvista.biz; jim.meade@tdstelecom.com; jim.meade@tdstelecom.com; jimw@prtcom.com; ben.spearman@comporium.com; bsingleton@truvista.biz; greg.lunsford@comporium.com; jim.meade@tdstelecom.com; jeff.wilson@wctel.com; jim.meade@tdstelecom.com; Deloris Carroll; recycleh2o@condorenvironmental.org; paul.epting@ngu.edu; charlie@hmnorthcutt.com; teich1648@gmail.com; weeznduff@charter.net; psteinburg@yahoo.com; bob@beaufortgroup.net; jillc@aaawelldrilling.com; duane.dowd@gmail.com; dshoe712@mac.com; haynesconst@homes.com; donnsmith42@yahoo.com; gailnorman8@outlook.com; twilliamson@landenv.com; Wrigm32@yahoo.com; schmid09@gmail.com; blueridgeurology33@yahoo.com; nessproperties@gmail.com; kimphillips12169@gmail.com; mrcartin@uiwater.com; billyfburnett@sc.rr.com; jfg@guastella.com; sarah.o.bedard@gmail.com; bob@beaufortgroup.net; steve@goldieassociates.com; bdennis@swwc.com; chrisbarry29@gmail.com; corporate@lakewoodcampground.com; bwiley@lakewoodcampground.com; lbmiller@thejacksoncompanies.com; wowens@tesi-usa.com; edwardsmerepoule@gmail.com; smikell@aol.com; mdaday@niamerica.com; mdaday@niamerica.com; mdaday@niamerica.com; debbie.mcgriff@hometelco.com; valerie.encrum@prt.coop; jason.dandridge@prt.coop; John Bowen; Margaret M. Fox; jim.meade@tdstelecom.com; Charles L. A. Terreni; bstone@lockhartpower.com; Benjamin Mustian; Benjamin Mustian; Gressette@WGFLAW.com; walker@WGFLAW.com; John J. Pringle, Jr.; John J. Pringle, Jr.; John J. Pringle, Jr.; John J. Pringle, Jr.; Charles L. A. Terreni
Subject: RE: Status Update Regarding 2017-381-A

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Mr. Stark and parties:

While AT&T is in this email string, per our filings and the Commission's rulings in this docket, we are not actually a party to this docket and thus do not intend to participate in or comment on these proceedings.

From: John Hoefer <JHoefer@Willoughbyhoefer.com>
Sent: Tuesday, August 14, 2018 4:24 PM
To: Stark, David <david.stark@psc.sc.gov>
Cc: Nelson, Jeff <jnelson@regstaff.sc.gov>; Pittman, Jenny <jpittman@regstaff.sc.gov>; K. Chad Burgess <chad.burgess@scana.com>; Matthew Gissendanner <matthew.gissendanner@scana.com>; jjeffries@mcquirewoods.com; Bruce.Barkley@piedmontng.com; jseay@lockhartpower.com; Rebecca.Dulin@duke-energy.com; fellerbe@robinsongray.com; rebecca.dulin@duke-energy.com; fellerbe@robinsongray.com; Heather Smith

<heather.smith@duke-energy.com>; Heather Smith <heather.smith@duke-energy.com>; srogers@nexsenpruet.com; David Black <dblack@nexsenpruet.com>; bettye.j.willis@windstream.com; jayne.t.eve@windstream.com; trey.judy@htc.hargray.com; kim.shepherd@skyline.org; susan.miller@ftr.com; bsingleton@truvista.biz; lawrimoj@ftc.org; greg.lunsford@comporium.com; rjl@hargray.com; will.helmly@hometelco.com; curley.huggins@htc.nc.net; tom.dabney@comporium.com; bsingleton@truvista.biz; jim.meade@tdstelecom.com; jim.meade@tdstelecom.com; jimw@prtcom.com; ben.spearman@comporium.com; bsingleton@truvista.biz; greg.lunsford@comporium.com; jim.meade@tdstelecom.com; jeff.wilson@wctel.com; jim.meade@tdstelecom.com; Deloris Carroll <deloris.carroll@centurylink.com>; recycleh2o@condorencvironmental.org; paul.epting@ngu.edu; charlie@hmnorthcutt.com; teich1648@gmail.com; weeznduff@charter.net; psteinburg@yahoo.com; bob@beaufortgroup.net; jillc@aaawelldrilling.com; duane.dowd@gmail.com; dshoe712@mac.com; haynesconst@homes.com; donnsmith42@yahoo.com; gailnorman8@outlook.com; twilliamson@landenv.com; Wrigm32@yahoo.com; schmid09@gmail.com; blueridgeurology33@yahoo.com; nessproperties@gmail.com; kimphillips12169@gmail.com; mrcartin@uiwater.com; billyfburnett@sc.rr.com; jfg@guastella.com; sarah.o.bedard@gmail.com; bob@beaufortgroup.net; steve@goldieassociates.com; bdennis@swwc.com; chrisbarry29@gmail.com; corporate@lakewoodcampground.com; bwiley@lakewoodcampground.com; lbmiller@thejacksoncompanies.com; wowens@tesi-usa.com; edwardsmerepoule@gmail.com; TURNER, PATRICK W (Legal) <pt1285@att.com>; smikell@aol.com; mdaday@niamerica.com; mdaday@niamerica.com; mdaday@niamerica.com; debbie.mcgriff@hometelco.com; valerie.encrum@prtc.coop; jason.dandridge@prt.coop; John Bowen <jbowen@mcnair.net>; Margaret M. Fox <pfox@mcnair.net>; jim.meade@tdstelecom.com; Charles L. A. Terreni <charles.terreni@terrenilaw.com>; bstone@lockhartpower.com; Benjamin Mustian <BMustian@Willoughbyhoefer.com>; Benjamin Mustian <BMustian@Willoughbyhoefer.com>; Gressette@WGFLAW.com; walker@WGFLAW.com; John J. Pringle, Jr. <jack.pringle@arlaw.com>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; Charles L. A. Terreni <charles.terreni@terrenilaw.com>
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Dear Mr. Stark:

From the perspective of Palmetto Utilities, Inc. and Palmetto Wastewater Reclamation LLC ("Companies"), the issues that have not been settled that would be the subject of the oral argument are those raised in the Companies' various submissions to the Commission in this docket. These would include a determination of whether a grant of the requested relief constitutes one or more of the following:

1. impermissible retroactive ratemaking,
2. a taking of private property for private use under the SC constitution,
3. a denial of due process and a taking,
4. a violation of the statutory procedures provided by the General Assembly for changing public utility rates, and
5. improper single expense ratemaking which fails to take into account changes in other expenses, the authorized returns of the Companies, and the full scope of the changes in the tax law.

I believe this covers the matters which have been raised by the Companies. To the extent any other matter has been raised in the Companies' submissions, I think they would also be properly argued. Please let me know if you require further information in this regard.

Also, as you note the disputes between the Companies and the Intervenors have been settled. Would it be appropriate for a joint proposed order approving the settlement to be submitted at this time so that this settlement may be given effect? The Companies would be glad to draft such an order, distribute it to counsel for the intervenors and ORS, and then submit it to the Commission for consideration.

Thank you for your assistance in this matter.

John Hoefer

From: Stark, David <david.stark@psc.sc.gov>
Sent: Tuesday, August 14, 2018 9:20 AM
To: John Hoefer <JHoefer@Willoughbyhoefer.com>
Cc: Nelson, Jeff <jnelson@regstaff.sc.gov>; Pittman, Jenny <jpittman@regstaff.sc.gov>; K. Chad Burgess <chad.burgess@scana.com>; Matthew Gissendanner <matthew.gissendanner@scana.com>; jjeffries@mcquirewoods.com; Bruce.Barkley@piedmontng.com; jseay@lockhartpower.com; Rebecca.Dulin@duke-energy.com; fellerbe@robinsongray.com; rebecca.dulin@duke-energy.com; fellerbe@robinsongray.com; Heather Smith <heather.smith@duke-energy.com>; Heather Smith <heather.smith@duke-energy.com>; srogers@nexsenpruet.com; David Black <dblack@nexsenpruet.com>; bettye.j.willis@windstream.com; jayne.t.eve@windstream.com; trey.judy@htc.hargray.com; kim.shepherd@skyline.org; susan.miller@ftr.com; bsingleton@truvista.biz; lawrimoj@ftc.org; greg.lunsford@comporium.com; rjl@hargray.com; will.helmly@hometelco.com; curley.huggins@htc.nc.net; tom.dabney@comporium.com; bsingleton@truvista.biz; jim.meade@tdstelecom.com; jim.meade@tdstelecom.com; jimw@prtcom.com; ben.spearman@comporium.com; bsingleton@truvista.biz; greg.lunsford@comporium.com; jim.meade@tdstelecom.com; jeff.wilson@wctel.com; jim.meade@tdstelecom.com; Deloris Carroll <deloris.carroll@centurylink.com>; recycleh2o@condorenenvironmental.org; paul.epting@ngu.edu; charlie@hmnorthcutt.com; teich1648@gmail.com; weeznduff@charter.net; psteinburg@yahoo.com; bob@beaufortgroup.net; jillc@aaawelldrilling.com; duane.dowd@gmail.com; dshoe712@mac.com; haynesconst@homes.com; donnsmith42@yahoo.com; gailnorman8@outlook.com; twilliamson@landenv.com; Wrigm32@yahoo.com; schmid09@gmail.com; blueridgeurology33@yahoo.com; nessproperties@gmail.com; kimphillips12169@gmail.com; mrcartin@uiwater.com; billyfburnett@sc.rr.com; jfg@guastella.com; sarah.o.bedard@gmail.com; bob@beaufortgroup.net; steve@goldieassociates.com; bdennis@swwc.com; chrisbarry29@gmail.com; corporate@lakewoodcampground.com; bwiley@lakewoodcampground.com; lbmiller@thejacksoncompanies.com; wowens@tesi-usa.com; edwardsmerepoule@gmail.com; Patrick W. Turner <pt1285@att.com>; smikell@aol.com; mdaday@niamerica.com; mdaday@niamerica.com; mdaday@niamerica.com; debbie.mcgriff@hometelco.com; valerie.encrum@prtc.coop; jason.dandridge@prt.coop; John Bowen <jbowen@mcnair.net>; Margaret M. Fox <pfox@mcnair.net>; jim.meade@tdstelecom.com; Charles L. A. Terreni <charles.terreni@terrenilaw.com>; bstone@lockhartpower.com; John Hoefer <JHoefer@Willoughbyhoefer.com>; Benjamin Mustian <BMustian@Willoughbyhoefer.com>; John Hoefer <JHoefer@Willoughbyhoefer.com>; Benjamin Mustian <BMustian@Willoughbyhoefer.com>; Gressette@WGFLAW.com; walker@WGFLAW.com; John J. Pringle, Jr. <jack.pringle@arlaw.com>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; Charles L. A. Terreni <charles.terreni@terrenilaw.com>
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Parties:

With respect to Docket No. 2017-381-A, I would request that the parties – specifically Mr. Hoefer, if he would be so kind – to write to me outlining the remaining non-settled issues that will be the subject of oral argument before the Commission. Of course, I would encourage all interested parties to submit an outline of issues if they so desire. An email to me, copied to all the parties, will be sufficient for my purposes.

Thanks and Regards,

David Stark, Staff Counsel
 Public Service Commission of South Carolina
 101 Executive Center Drive, Suite 100
 Columbia, South Carolina 29210
 Telephone: (803) 896-5163
david.stark@psc.sc.gov
<http://www.psc.sc.gov>